



California Department of Justice
Attorney General Xavier Becerra

Consumer Alert Regarding the Use of “Federal Limits Apply” Driver Licenses and Identification Cards to Purchase Firearms

If you have a “FEDERAL LIMITS APPLY” driver license or identification card and wish to use it as identification to purchase a firearm, the dealer might require you to present proof that you are lawfully present in the United States. This is because federal law prohibits anyone who is not lawfully present in the United States from receiving or possessing a firearm or ammunition.

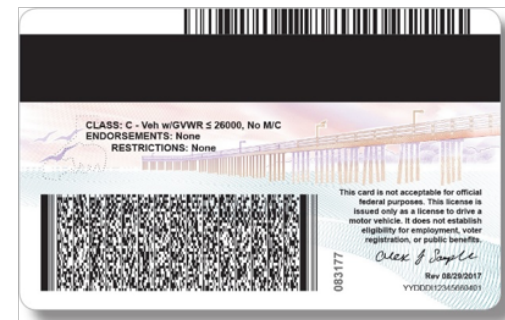
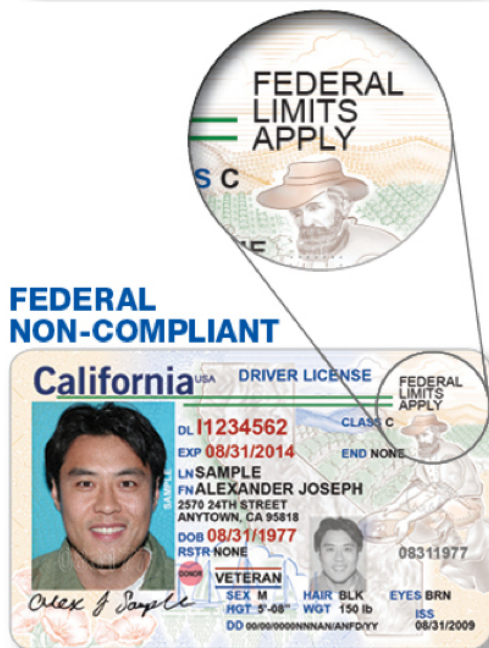
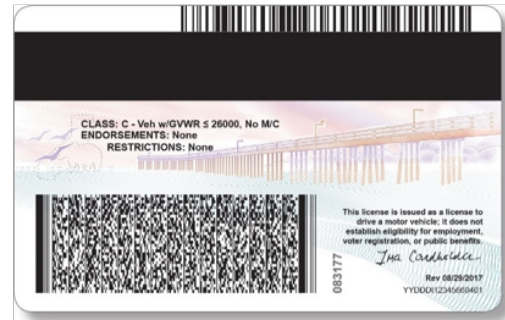
The Department of Motor Vehicles (DMV) currently issues two types of California driver licenses and identification cards: “REAL ID” and “FEDERAL LIMITS APPLY” (samples below). An applicant for a “FEDERAL LIMITS APPLY” driver license or identification card is not necessarily required to provide proof to DMV of lawful presence in the country.

Recently enacted state legislation (Cal. Stats. 2018, ch. 885, S.B. 244) prohibits certain “FEDERAL LIMITS APPLY” driver licenses and identification cards—those issued to persons who were not required to submit satisfactory proof of lawful presence in the United States—from being used as evidence of an individual’s citizenship or immigration status for any purpose. These driver licenses and identification cards are physically indistinguishable from other “FEDERAL LIMITS APPLY” driver licenses and identification cards issued to individuals who have provided satisfactory proof of lawful presence in the United States.

The California Department of Justice has advised firearms dealers that they may wish to consider requiring proof of lawful presence from all purchasers who present a “FEDERAL LIMITS APPLY” driver license or identification card. If you plan to purchase a firearm using a “FEDERAL LIMITS APPLY” driver license or identification card, the dealer might also require you to present one of the following documents:

- Valid, unexpired U.S. passport or passport card
- Certified copy of U.S. birth certificate
- U.S. Certificate or Consular Report of Birth Abroad of a U.S. Citizen
- Valid, unexpired foreign passport with valid U.S. immigrant visa and approved Record of Arrival/Departure (I-94) form
- Certified copy of birth certificate from a U.S. Territory
- Certificate of Naturalization or U.S. Citizenship
- Valid, unexpired Permanent Resident Card

To avoid surprises, you should check with the firearms dealer you plan to visit to verify the dealer's identification requirements. Alternatively, you can obtain a REAL ID driver license or identification card, which would provide sufficient proof of lawful presence in the United States. Please note that beginning October 1, 2020, the federal government will require your driver license or identification card to be a REAL ID if you wish to use it as identification to board a domestic flight or enter military bases and most federal facilities. Information about REAL ID licenses and identification cards can be obtained from the DMV at www.dmv.ca.gov.



This alert is for informational purposes only and should not be construed as legal advice or as policy of the State of California. If you want advice on a particular case, you should consult an attorney or other expert.